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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/744,362

04/16/2001

Makoto Sato

09812.0659-00000

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07/31/2006

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EXAMINER

SHANG, ANNAN Q

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/744,362

Applicant(s)

SATO ET AL.

Examiner

Annan Q. Shang

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-68 are rejected under 35 U.S.C. 102(e) as being anticipated by **Takano et al (6,731,347)**.

As to claim 1, note the **Takano** reference figures 1-6, discloses method for switching signal input based on device capability and further discloses a transmission method, for transmitting data related to a first device (DSSIRD 11) to a second device (DTV-12) through a network (IEEE 1394) comprising:

The second device designating a unit within the first device for input, the second device transmitting a command in predetermined format that indicates which unit of the first device the second device has designated (figs.1 and col.2, line 59-col.3, line 12);

Storing connection information (storage means Memory 160 or ROM) in a predetermined table (Capability list, figs.5-6, DSSIRD-11, and col.4, lines 33-col.5, line 15);

Transmitting the stored connection information over the network (IEEE-1394) to second device as a command data having in a predetermined format via the connection (col.4, lines 33-col.5, line 16 and line 19+), note that during initialization of the network Capability list representing connection information is created and held within the Memory of all the Devices (figs.1-4) in a hierarchical connection map or topology map and transmitted over the network to all the Devices accordingly; note also that the CPU of each Device on the 1394 network determines the output state on the basis of the capability list;

data related to the status of connection between the Devices of the corresponding input Device, output Devices and the internal function processing device of the one Device is transmitted to the other Device (col.4, lines 33-col.5, line 16 and line 19+), note that each node or Device identifies itself and indicates input and output port status information (see table figs.5-6) and where the stored connection information has a hierarchical structure (figs.5-6), including information about connections between internal units within the first device or the designated input unit (col.4, lines 33-col.5, line 16 and line 19+);

where the stored connection information contains a unit identifier descriptor representing all data, a source descriptor representing a list of transmission sources, a destination descriptor representing a list of receivers; a transformation descriptor representing a list of signal conversions (figs.5-6, col.4, lines 33-col.5, line 16 and line 19-col.6, line 1+)

As to claims 2-4, Takano further discloses where the pieces information held in table includes information related to a connection between and an input Device and an output Device of the first device and an internal function processing unit of the first device and information about which formats the first device can input or output by the Device which are held on a Memory and includes information related transmitting the data over multiple connections at once, each Device outputs at once in response to a command via the user interface to enable the Device to determine the pieces of information (col.4, lines 33-col.5, line 16 and line 19-col.6, line 1+).

As to claim 5-7, Takano further discloses where the input unit and output unit indicated by the information held in the table includes input unit or an output unit within the first device that are not connected to the network, where the information to a present connection state in the device is transmitted to another device by transmission of the command of a predetermined format and when a present connection state is changed, if another connection is influenced, information related to the change in the present connection state is further transmitted (col.4, lines 33-col.5, line 16 and line 19-col.6, line 1+)

As to claims 8-9, the claimed "data transmission method for transmitting data..." contains the same structural elements as rejected claim 1.

As to claim 10, the claimed "data transmission method for transmitting data..." contains the same structural elements as rejected claim 1.

As to claims 11-12, Takano further discloses where when a plurality of signal sources exist, data related to the plurality of signal sources is transmitted via the 1394 bus (col.4, line 57-col.5, line 42 and col.6, lines 25-58).

As to claim 13, Takano further discloses where data designating the input unit or the output unit and the function processing unit has a data structure equal to that of data used when a setting related to a connection between the input unit or the output unit and the function processing unit is performed (col.4, line 57-col.5, line 42 and col.6, lines 25-58).

As to claim 14, the claimed "a device data transmission method for transmitting data..." contains the same structural elements as rejected claim 1.

As to claims 15-18, Takano further discloses where data related to the output state of the video image, a flag representing that a specific video image is superposed on the video image is added, the specific video image represented by the flag is a video image of an on-screen display, where a processing state of the video image is represented by the specific field of data related to an output state of the video image and the processing state of the video image is represented by using a flag (figs 11-13 and col. 8, line 43-col. 9, line 12), furthermore the CPU in the other Devices determines the basis of the flag that the specific video data is superposed on the video data (col.4, line 57-col.5, line 16 and line 19+).

As to claim 19, Takano further discloses where the processing state represented by data in specific field is data representing a stat that predetermined data is extracted from multiplexed video data (col.4, line 57-col.5, line 16 and line 19+).

As to claims 20-24, Takano further discloses where a processing state represented by data in the specific field is data representing a state of an on-screen display for displaying data on which a video image is superposed, is data representing a state that a signal format of video, is data representing a state that a special process is performed to a video image, is a state that video images mixed and is data representing a state that the same video image as that of a signal source is set (col.4, line 57-col.5, line 16 and line 19+).

As to claim 25, the claimed "a transmission device for transmitting data..." contains the same structural elements as rejected claim 1.

Claims 26-28 are met as previously discussed with respect to claims 2-4.

Claims 29-31 are met as previously discussed with respect to claims 5-7.

As to claims 32-33, the claimed "a transmission device..." contains the same structural elements as rejected claim 1.

As to claim 34, the claimed "a transmission device..." contains the same structural elements as rejected claim 1.

Claims 35-36 are met as previously discussed with respect to claims 11-12.

As to claim 37, the claimed "a transmission device..." contains the same structural elements as rejected claim 1.

Claims 38-40 are met as previously discussed with respect to claims 15-18.

Claim 41 is met as previously discussed with respect to claim 19.

Claims 42-46 are met as previously discussed with respect to claims 20-24.

As to claim 47, the claimed "a transmission system..." contains the same structural elements as rejected claim 1.

Claim 48 is met as previously discussed with respect to claim 2.

Claims 49-50 are met as previously discussed with respect to claims 3-4.

Claims 51-53 are met as previously discussed with respect to claims 5-7.

As to claims 54-55, the claimed "a transmission system..." contains the same structural elements as rejected claim 1.

As to claim 56, the claimed "a transmission system..." contains the same structural elements as rejected claim 1.

Claims 57-58 are met as previously discussed with respect to claims 11-12.

As to claim 59, the claimed "a transmission system..." contains the same structural elements as rejected claim 1.

Claims 60-62 are met as previously discussed with respect to claims 15-18.

Claim 63 is met as previously discussed with respect to claim 19.

Claims 64-68 are met as previously discussed with respect to claims 20-24.

Response to Arguments

3. Applicant's arguments with respect to claims 1-68 have been considered but are moot in view of the new ground(s) of rejection. The amendment to all the independent claims necessitated the new ground(s) of rejection discussed above. This office action is made final.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davis et al (6,961,768) disclose status polling failover of devices in a distributed network management hierarchy.

Palm (6,952,442) discloses activation of multiple XDSL modems with implicit channel probe.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

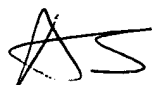
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on 700am-400pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, call **800-786-9199 (IN USA OR CANADA)** or **571-272-1000**.



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